

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re	:	
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MICHAEL P. KUTZER, ESQUIRE,	:	Misc. No. 07-3010DWS
	:	
	:	
In re	:	Chapter 13
	:	
KEVIN HARTZAG,	:	Bankruptcy No. 07-13250DWS
	:	
Debtor,	:	

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**ORDER**

**AND NOW**, this 13th day of August 2007, this Court having entered two orders to show cause on July 31, 2007 against Michael Kutzer, Esquire (“Kutzer”) regarding (1) his failure to file attorney disclosure statements required by Fed.R.Bankr.P. 2016(b) (“2016(b) Statements”) and (2) his practice of collecting fees from his clients and not paying the filing fees until their cases are up for dismissal;

**And** a hearing on both show cause matters at which the United States trustee participated having been held as scheduled on August 13, 2007;

**And** Kutzer explaining that he has still not filed the 2016(b) Statements noted as missing in the Order entered in the Hartzag case due to a difficulty with his computer software and having committed to remedy this by the end of business today;

**And** the UST being satisfied with that response;

**And** Kutzer representing that in any new case he would file his 2106(b) Statement contemporaneously with the petition;

**And** with respect to fees, Kutzer contending that he has held the fees paid by his clients in a trust fund pending payment to the court;

**And** the UST being satisfied with that response;

**And** Kutzer promising that with every petition he files, he will contemporaneously pay the filing fee unless he has filed an application to pay in installment fees or for *in forma pauperis* treatment;

**And** Kutzer acknowledging that he does not retrieve messages from his land line phone of record with the Court on a regular basis but that his clients are not prejudiced because he provides them with his mobile phone number;<sup>1</sup>

**And** Kutzer indicating that it was not his intention to preclude the Court from contacting him by providing a number that he does not regularly access and upon my request, then providing the Court with that number;

It is hereby **ORDERED** that:

1. Every bankruptcy petition filed by Kutzer shall be accompanied by the full filing fee (or an application to pay in installment fees or for *in forma pauperis* treatment) and the attorney disclosure statement required by Rule 2016(b);<sup>2</sup>

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<sup>1</sup> He also uses the mobile number for advertising and client solicitation purposes.

<sup>2</sup> No extension shall be granted.

2. In the cases noted in the Hartzag Order as well as the cases filed since the date of that Order,<sup>3</sup> he shall file the 2016(b) Statement by **6:00 p.m. August 13, 2007**;
3. Kutzer shall cease referring in court papers to the land line phone number that he does not answer but shall use the mobile phone number where he can be reached;
4. The Clerk shall enter the mobile number 215-687-6370 as the attorney phone number on the docket of Kutzer's existing cases;
5. The Court and UST shall monitor Kutzer's compliance with these requirements and appropriate steps will be taken if there is a breach of this Order.

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DIANE WEISS SIGMUND  
Chief U.S. Bankruptcy Judge

cc: Judge Bruce Fox  
Judge Stephen Raslavich  
Judge Eric Frank  
Judge Richard Fehling  
Judge Jean FitzSimon  
Timothy McGrath, Clerk  
Walter Stoertz, Chief Deputy Clerk

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<sup>3</sup> Notwithstanding a representation to me to the contrary, it appears that he has not filed 2016 (b) Statements in the 9 cases he has filed since August 1, 2007.